

PHILLIP A. TALBERT
United States Attorney
STEPHANIE M. STOKMAN
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ARTURO YANEZ, JR.,
FRANCISCO JAVIER TOVAR TRONCOSO,
ERNESTO TOVAR TRONCOSO, and
MARIO RAYES,

Defendants.

CASE NO. 1:22-CR-00143-ADA-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: June 14, 2023

TIME: 1:00 p.m.

COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on June 14, 2023.
2. By this stipulation, defendants now move to continue the status conference until October 25, 2023, and to exclude time between June 14, 2023, and October 25, 2023, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes reports, photographs, and audio files and is voluminous. This discovery has been either produced directly to counsel and/or made available for inspection and copying, and the

1 production of or availability of more discovery is anticipated.

2 b) Counsel for defendants desire additional time to further review discovery, discuss
3 potential resolution with defendants and the government, and investigate and prepare for trial.

4 c) Counsel for defendants believe that failure to grant the above-requested
5 continuance would deny him/her the reasonable time necessary for effective preparation, taking
6 into account the exercise of due diligence.

7 d) The government does not object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of June 14, 2023 to October 25, 2023,
13 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
14 because it results from a continuance granted by the Court at defendant's request on the basis of
15 the Court's finding that the ends of justice served by taking such action outweigh the best interest
16 of the public and the defendant in a speedy trial.

17 g) The parties also agree that this continuance is necessary for several reasons,
18 including but not limited to, the need to permit time for the parties to exchange supplemental
19 discovery, engage in plea negotiations, and for the defense to continue its investigation and
20 preparation, pursuant to 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(i) and (iv).

21 //

22
23 //

24
25 //

26
27 //

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: June 5, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ STEPHANIE M. STOKMAN
STEPHANIE M. STOKMAN
Assistant United States Attorney

Dated: June 5, 2023

/s/ RAOUL J. SEVERO
RAOUL J. SEVERO
Counsel for Defendant
ARTURO YANEZ, JR.

Dated: June 5, 2023

/s/ REED GRANTHAM
REED GRANTHAM
Counsel for Defendant
FRANCISCO JAVIER TOVAR
TRONCOSO

Dated: June 5, 2023

/s/ ANTHONY CAPOZZI
ANTHONY CAPOZZI
Counsel for Defendant
ERNESTO TOVAR
TRONCOSO

Dated: June 5, 2023

/s/ ALEKXIA L. TORRES
STALLINGS
ALEKXIA L. TORRES
STALLINGS
Counsel for Defendant
MARIO RAYES

ORDER

IT IS SO ORDERED that the status conference is continued from June 14, 2023, to **October 25, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: **June 5, 2023**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE